

MINUTE ENTRY

8:05 a.m.

UNITED STATES OF AMERICA -v- PEDRO Q. BABAUTA

PRESENT: Hon. Alex R. Munson

Sanae Shmull, Court Reporter

K. Lynn Lemieux, Courtroom Deputy

Timothy Moran, Assistant U. S. Attorney

G. Anthony Long, Attorney for Defendant

Pedro Q. Babauta, Defendant

PROCEEDINGS: JURY TRIAL - Day Three

Government by Timothy Moran, AUSA. Attorney G. Anthony Long was present on behalf and with defendant, Pedro Q. Babauta. Also present was Gary Guerra Special Agent for the EPA/Criminal Investigation Division. Twelve regular jurors and two alternates were present.

Witness CLARISSA TANAKA BEARDEN was returned to the stand and Defense continued with CX. At 8:35 a.m. Government began RDX of witness. At 8:57 a.m. Defense conducted RCX. Witness was excused at 9:03 a.m.

MARIANO IGLECIAS (CUC). DX. Government offered Exhibit 22 into evidence; Court so ordered over objection.

Court recessed for morning break at 9:45 and reconvened at 10:10 a.m.

Government continued with DX of witness MARIANO IGLECIAS.

Court recessed at 11:45 a.m. and reconvened at 12:10 p.m.

Outside the presence of the jurors, Jamie Bowers, AUSA, reported to Court that there has been a stare down by some of defendant's family members of the witnesses and jury and requested that a stop be put to it. Attorney Long argued.

Court ordered that a U.S. Marshal be present in this Courtroom for the remainder of this trial. Further, Court ordered that family members of the defense stay away, at least ten feet away, from all jurors and witnesses in this trial.

Jurors were brought into the Courtroom at 12:20 p.m.

Defense began CX of MARIANO R. IGLECIAS.

At 1:00 p.m., Court dismissed the jurors for the day and admonished them not to speak with anyone about this case; not to watch any news or read newspapers regarding this case, and to return to the Court tomorrow morning at 8:00 a.m. to continue the trial.

Witness Iglecias was excused at 1:00 p.m. and ordered to return tomorrow at 8:00 a.m.

Adjourned 1:00 p.m.

; [KLL EOD 06/08/2005]